

he rolled out a new jobs bill of a half trillion dollars that he thought was going to create jobs, but I just don't think that it's going to create jobs either. It's just going to add to our national debt. And the reason why he can do all of these things is because he doesn't have to do what this lady does each and every day, and that's to balance the checkbook. Americans want a checkbook that's balanced.

I would like to show another visual. I'd like to talk about what a few other people said in addition to Ronald Reagan.

Ben Franklin: "Creditors have better memories than debtors."

George Washington: "As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible."

□ 1650

Oh, my good friends in the House, if we had only utilized his words, to use it sparingly as possible.

Both sides have been part of the problem. This is not a Republican or a Democrat sin. This is a sin from past Congresses. This is a sin we can rectify.

Thomas Jefferson: "The principle of spending money to be paid by posterity under the name of funding is but swindling futurity on a large scale." The principle of spending money to be paid by posterity under the name of funding is but swindling futurity on a large scale.

He was saying you can't spend your way out of debt. You can't spend today, put the burden on your children of tomorrow and expect a healthy economy. No Nation has ever been successful in doing that. We in America will not be successful in doing that, and that's why we have to have the balanced budget amendment.

My good friends in the House, this week is a very important week for America. We need to pass the balanced budget amendment.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. NUGENT, from the Committee on Rules (during the Special Order of Mrs. SCHMIDT), submitted a privileged report (Rept. No. 112-285) on the resolution (H. Res. 466) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

WE NEED A BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I appreciate so much the comments of my

friend from Ohio, from Washington State, good people, good observations. It's an honor to serve with devoted people like that.

Spending is at an all-time crisis. We do need a balanced budget amendment. There's no question. We have got to have a balanced budget amendment.

The great Senator from the State of Texas, Phil Gramm, joined forces and got a bill referred to as Gramm-Rudman through. That was supposed to force, legislatively, the House and Senate to only spend within the revenue coming in. But since it was legislation, since both bodies can create such legislation, then both bodies can undo such legislation. Just like both bodies can create a debt ceiling bill, as occurred late July, early August this year, both bodies can decide to do something different a few months later. That's the problem with legislation. That's why we do need a balanced budget amendment.

Now, the bill that was brought through committee this year, this 112th Congress, titled H.J. Res. 1, it passed out of committee, the Judiciary Committee. It says that the purpose is proposing a balanced budget amendment to the Constitution of the United States. Massive number of cosponsors. And it was a good bill. It was, it is.

And all gratitude goes to Mr. BOB GOODLATTE. He has been a strong proponent for advancing a balanced budget amendment for numerous Congresses for many years, and he has done a good thing with this bill. I appreciated his also including an amendment that I brought to committee that was passed in committee and is part of the joint resolution. But it's House Joint Resolution 1. It's a good bill. It's to provide for a balanced budget amendment.

In section 1 it simply says:

Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

Well, you might think that would be sufficient just to say total outlays cannot exceed total receipts. But those of us who've been around Congress long enough know that's not good enough unless you add, as Mr. GOODLATTE does in Section 8:

Total receipts shall include all receipts of the United States Government except those derived from borrowing.

If Section 8 is not in there, some Member of Congress down the road, if the balanced budget amendment were made into law as an amendment to the U.S. Constitution, would be clever enough to say, hey, it doesn't say you can't borrow. It just says you can't have outlays exceed total receipts. Well receipts, if you get loans, you've got money coming in, even from loans, well, that ought to be good enough.

So we need Section 8 that says total receipts include all receipts except those derived from borrowing. That's a good provision to have in there because

we know that this body, different parties in charge, different groups in here, as Members of the House and Senate, have always had people that found a way, found a loophole, found a way to get around the laws, the Constitution.

A good example of that, no, a great example of that is the ObamaCare bill. Article I of the United States Constitution, section 7 makes very clear that any bill that raises revenue, increases the amount of revenue, it has to start here in the House. It can't originate in the Senate. It has to start in the House. That's where the founders wanted bills involving taxes in any way, that raise revenue at all, had to start in the House.

Over the years, people found a way around that. And we saw that with the ObamaCare bill. The election of SCOTT BROWN in the Senate made clear that they were going to have to do something different than what was originally planned in order to get the ObamaCare bill passed. So they took a House bill—they knew they couldn't wait on the House to do anything. They were going to have to start it.

So to get around the clear requirement of the Constitution that bills that raise revenue, as did the President's health care bill—raised taxes quite a bit actually—they said, okay, we're going to take a House bill that's already passed the House. They took one that provided a tax credit for first-time homebuyers who happened to be veterans. That was the basic intent of the bill.

Beginning with line 1, page 1, the Senate then deleted every word and substituted therein 2,400, 2,500 pages of ObamaCare. That way the Senate could say, hey, it didn't originate here in the Senate. This is a bill that originated in the House. We just struck every single word and put in the Senate bill.

Well, that violates the intent of the Constitution because, clearly, that health care bill did not originate in the House. But that was deemed to be a loophole in the rules and in the constitutional law, and so it's been gotten away with before and it was gotten away with on that bill.

So we know games get played like that. If you don't specify that receipts do not include borrowed money, then somebody's going to figure that out and use it and probably get away with it. So it has to be in there.

The rule has now been reported from the Rules Committee about the balanced budget amendment version that we're going to be taking up. And people keep referring to it as a clean balanced budget amendment. That's the one we're going to take up, one that does not have anything else other than total outlays must not exceed total receipts.

□ 1700

Now, in this House Joint Resolution 1, it has another provision that says:

Total outlays for any fiscal year shall not exceed 18 percent of economic output of the United States, unless two-thirds of each